

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Feb 11, 2022**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DAVID MICHAEL ALVES,  
  
Plaintiff,  
  
v.  
  
WELL PATH, DR. VIVIK SHAH,  
and SHERRY JOHNSON,  
  
Defendants.

No: 1:21-CV-03153-RMP

ORDER DISMISSING ACTION FOR  
FAILURE TO COMPLY WITH  
FILING FEE AND *IN FORMA*  
*PAUPERIS* REQUIREMENTS

By Order filed January 3, 2022, the Court directed Plaintiff David Michael Alves to provide a new application to proceed *in forma pauperis* upon his notification that he was released from incarceration at the Yakima County Department of Corrections to the Yakima Union Gospel Mission in Yakima, Washington. ECF No. 6. Plaintiff had presented a *pro se* civil rights complaint and Defendants were not served. In the alternative, the Court instructed Plaintiff to pay the \$402.00 fee (\$350.00 filing fee, plus \$52.00 administrative fee) to commence this action. *Id.* at 2. Plaintiff did not comply with the Court's directive and has filed

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1 nothing further in this action. Based on these actions, it appears that Plaintiff has  
2 abandoned this litigation.

3 Therefore, for the reasons set forth above and in the Court's prior Order, **IT**  
4 **IS ORDERED** that this action is **DISMISSED** for failure to comply with the  
5 filing fee and *in forma pauperis* requirements of 28 U.S.C. §§ 1914 and 1915.

6 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this  
7 Order, enter judgment, provide copies to Plaintiff at his last known address, and  
8 **CLOSE** the file. The Court certifies that any appeal of this dismissal would not be  
9 taken in good faith and would lack an arguable basis in law or fact.

10 **DATED** February 11, 2022.

11  
12 s/ Rosanna Malouf Peterson  
13 ROSANNA MALOUF PETERSON  
14 Senior United States District Judge  
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